

AN ORDINANCE AMENDING THE COMPOSITION OF THE HUMAN RELATIONS COMMISSION

Whereas, N.C. Gen. Stat. § 160A-492 provides that the governing body of a city is authorized to undertake and expend funds for human relations programs;

Whereas, N.C. Gen. Stat. § 160A-492 provides that the governing body may appoint such human relations committees as it may deem necessary in carrying out such programs and activities; and

Whereas, council wants to expand the makeup of the human relations commission to better reflect all the citizens who reside in the city;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

Section 1: Durham City Code Section 34-108 is captioned as –“Composition; appointment and terms of members; filling vacancies.” Durham City Code Section 34-108(a) and (b) presently reads as follows:

- a) The commission shall be composed of 15 citizens and residents of the city. The city council shall cause public notice to be given when vacancies occur on the commission. Any person who is a citizen and resident of the city may express a desire to serve on the commission.
- b) The city council shall appoint the members of the commission. The composition shall represent fairly the social, economic, gender and ethnic composition of the population of the city. The membership shall be comprised of six African-Americans, six whites, and three members of other racial minority groups other than those listed above. In addition, both genders shall be equally represented but neither by more than 53 percent. When the city council is unable to apportion appointments to the commission in this article's stated composition, those vacancies will be held until such time as appropriate candidates are identified and appointed.

Section 2: Durham City Code Section 34-108 (a) and (b) (referenced above) is amended and rewritten as follows:

- a) The commission shall consist of 17 members. Sixteen (16) members shall be appointed by council. One member shall be appointed by the mayor. Such persons shall be citizens and residents of the city. The goal is that these 17 voting members represent the diverse social, economic, gender, sexual orientation, ability, religious affiliations, and racial and ethnic composition of the city. To assist the council in achieving this goal, the

commission shall proactively encourage applicants of diverse backgrounds to apply to serve on the commission.

- b) The recommended commission membership shall consist of six Black /African-Americans, six White/European Americans, two Hispanic/Latino Americans, and two members from a racial/ethnic group not represented by the preceding racial/ethnic categories. The mayor's appointee shall be from any racial/ethnic category. Both genders shall be equally represented, but neither by more than 53 percent.

The city clerk shall cause public notice to be given when vacancies occur in one of the aforementioned seats. However, after three months from the date of such public notice, if there is no applicant appointed who identifies as one or more of the missing racial/ethnic groups, then the council shall fill the vacancy with otherwise qualified applicants.

Section 3. This ordinance shall be in full force and effect from the date of passage.